

ORDINANCE NO. BL2020-_____

An ordinance amending Chapter 2.44 of the Metropolitan Code to prohibit the Metropolitan Nashville Police Department from hiring police officers who were previously fired or under investigation by another law enforcement agency for malfeasance or use of force.

BE IT ENACTED BY THE METROPOLITAN COUNCIL OF NASHVILLE & DAVIDSON COUNTY:

Section 1. Chapter 2.44 of the Metropolitan Code is hereby amended by adding the following new Section 2.44.045:

2.44.045 Hiring of certain officers prohibited.

A. Definitions. For purposes of this section, the following terms have the meaning ascribed herein:

1. "malfeasance" means the commonly approved usage of "malfeasance";
2. "serious misconduct" means improper or illegal actions taken by a police officer in connection with such officer's official duties that could result in a miscarriage of justice or discrimination, including, but not limited to, (a) a conviction of a felony, (b) fabrication of evidence, (c) repeated use of excessive force, (d) acceptance of a bribe, or (e) the commission of fraud.

B. The metropolitan police department shall not hire any person as a police officer who was previously employed as a police officer by another law enforcement agency and who:

1. was dismissed for malfeasance or other serious misconduct calling into question such person's fitness to serve as a police officer;
2. resigned or retired from such officer's position while under investigation for such malfeasance or other serious misconduct; or
3. has a documented employment history evidencing any of the following:
 - a. Discrimination based on race, national origin, gender or sexual orientation;
 - b. Excessive force;
 - c. Racial bias; or
 - d. Dishonesty related to the reporting, investigation, or prosecution of a crime or the misconduct of another officer.

C. The provisions of this section shall not apply to any police officer who is exonerated of each allegation against such officer of such malfeasance or other serious misconduct.

Section 2. This ordinance shall take effect from and after its enactment, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:



Sharon Hurt
Member of Council